

REMARKS

Reconsideration and withdrawal of the rejections of the claimed invention is respectfully requested in view of the amendments, remarks and enclosures herewith, which place the application in condition for allowance.

I. STATUS OF CLAIMS AND FORMAL MATTERS

Claims 1, 4-12 and 19-22 would be pending in this application upon entry of this amendment. No new matter has been added by this amendment.

The present amendments to the claims should be entered as they adopt suggested amendments made by the Examiner in the previous Office Action and would serve to reduce the issues for Appeal (more than likely no Appeal would be necessary as all remaining claims can be allowed).

It is submitted that the claims, herewith and as originally presented, are patentably distinct over the prior art cited in the Office Action, and that these claims were in full compliance with the requirements of 35 U.S.C. § 112. The amendments of the claims, as presented herein, are not made for purposes of patentability within the meaning of 35 U.S.C. §§§§ 101, 102, 103 or 112. Rather, these amendments and additions are made simply for clarification and to round out the scope of protection to which Applicants are entitled.

II. THE 35 U.S.C. 112, 2nd PARAGRAPH REJECTION HAS BEEN OVERCOME

Claims 21 and 22 was rejected as allegedly being obvious by Kameyama et al. (JP 08-239262 -“Kameyama”). The applicants believe the amendments to claims 21 and 22 made above address the Examiner’s concerns and this rejection can be withdrawn.

III. THE OBJECTION TO CLAIM 10 HAS BEEN OVERCOME

The applicants have adopted the Examiner’s suggested amendment to claim 10 and therefore, this objection can be withdrawn.

CONCLUSION

In view of the remarks and amendments herewith, the application is believed to be in condition for allowance. Favorable reconsideration of the application and prompt issuance of a Notice of Allowance are earnestly solicited. The undersigned looks forward to hearing favorably from the Examiner at an early date, and, the Examiner is invited to telephonically contact the undersigned to advance prosecution. The Commission is authorized to charge any fee occasioned by this paper, or credit any overpayment of such fees, to Deposit Account No. 50-0320.

Respectfully submitted,
FROMMER LAWRENCE & HAUG LLP

By: /Howard C. Lee/
Ronald R. Santucci Howard C. Lee
Reg. No. 28,988 Reg. No. 48,104
Telephone: (212) 588-0800
Facsimile: (212) 588-0500